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OCT 25 2004

Page 1 of 19

Urgent

Confidential

Date: October 25, 2004

To:
Examiner:
Rehana Perveen
USPTO

Fax:
(703) 872-9306

Art Unit:
2116

From:
Joni D. Slutman-Horn

Fax:
703-633-3303

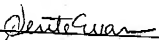
M/S:

Subject: Regulating File System Device Access
Application No.: 09/991,164; Inventor: John C. Weast
Filed: 11/16/01 Docket No. 42390.PI2570

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Serita Evans



Date: October 25, 2004

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Fax Cover Sheet (1 page)
Transmittal Form (1 page)
Fee Transmittal (1 page, in duplicate)
Amendment and Response (15 pages)

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PTO/SB/21 (08-03)

TRANSMITTAL FORM
(to be used for all correspondence after initial filing)

Application Number	09/91,164
Filing Date	November 16, 2001
First Named Inventor	John C. West
Art Unit	2118
Examiner Name	Rahana Perveen
Attorney Docket Number	42290.P1287a
Total Number of Pages in This Submission	

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> Fax Cover Sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jon D. Suttman-Horn, Reg. No. 42,173 Intel Americas, Inc.
Signature	<i>Jon D. Suttman-Horn</i>
Date	10/25/2004

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Typed or printed name	Serita Evans
Signature	<i>Serita Evans</i>
Date	10/25/04

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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This form is not valid unless it displays a valid OMB control number.**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 158.00**Complete if Known**

Application Number 09/991,164
 Filing Date November 16, 2001
 First Named Inventor John C. Weast
 Examiner Name Rehana Perveen
 Art Unit 2116
 Attorney Docket No. 42380.P12570

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number 50-0221
 Deposit Account Name Intel Corporation

The Director is authorized to check (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	285	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from	Fee Paid
Independent	-20" = 5	X 18	90
Claims	-3" = 1	X 88	88
Multiple Dependent			

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	43	Independent claims in excess of 5	
1203	260	2203	145	Multiple dependent claim, if not paid over original patent	
1204	88	2204	43	Reissue independent claims over original patent	
1205	18	2205	9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

*or number previously paid, if greater. For Reissues, \$85 above.

FEE CALCULATION (continued)

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920	1804	920	Requesting publication of SIR prior to Examiner action	
1805	1,840	1805	1,840	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1256	2,010	2256	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	940	2503	320	Plant issue fee	
1400	130	1400	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)	
1806	180	1806	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.123(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.123(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**SUBMITTED BY**

Name (print/Type) Joni D. Sturman-Horn Registration No. 42,173
 Signature [Signature] Telephone 703-633-6845
 Date 10/26/2004

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$5158.00)

Complete if Known

Application Number 09/991,184
Filing Date November 16, 2001
First Named Inventor John C. Weast
Examiner Name Rehana Perveen
Art Unit 2118
Attorney Docket No. 42390.P12570

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-0221
Deposit Account Name Intel Corporation

The Director is authorized to: (check all that apply)
☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (S)	Small Entity Fee Code (S)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 266	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 150	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims (independent claims)	Extra Claims	Fee from Table	Fee Paid
1	30** = 5	X 18	90
Multiple Dependent	3** = 1	X 86	86

Large Entity Fee Code (S)	Small Entity Fee Code (S)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid over original patent	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$176.00)

**or number previously paid, if greater. For Reissue, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (S)	Small Entity Fee Code (S)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath cover sheet	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 65	Non-English specification	
1812 2,520	1812 1,260	For filing a request for ex parte reexamination	
1804 920*	1804 460*	Requesting publication of SIR prior to examination	
1805 1,840*	1805 920*	Requesting publication of SIR after examination	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 560	2253 280	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 755	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 65	Petitions to the Commissioner	
1807 50	1807 25	Processing fee under 37 CFR 1.17(g)	
1806 180	1806 90	Submission of Information Disclosure Stmt	
8021 40	8021 20	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 450	Request for expedited examination of a design application	

Other fees (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type) Joni D. Sturman-Horn
Signature *Joni D. Sturman-Horn*

Registration No. 42,178
Address/Street

(Complete if appropriate)

Telephone 703-693-6845

Date 10/15/2004

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09/991,164

Attorney Docket: 42390.P12570

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 25 2004

In re Patent Application of:

John C. Weast

Application No.: 09/991,164

Docket No.: 42390.P12570

Filed: Nov. 16, 2001

Examiner: Rehana Perveen

Art Unit: 2116

VIA FAX (703) 872-9306

For: **REGULATING FILE SYSTEM DEVICE ACCESS**

AMENDMENT AND RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on July 23, 2004, please reconsider the pending claims based on the following amendment.

CERTIFICATE OF TRANSMISSION	
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below	
By: <u>[Signature]</u> Serio Byane	Date: October 23, 2004